

AKIN GUMP STRAUSS HAUER & FELD LLP
590 Madison Avenue
New York, NY 10022-2524
Telephone: (212) 872-1000
Facsimile: (212) 872-1002
Michael S. Stamer (MS 4900)
Fred S. Hodara (FH 7947)
Robert A. Johnson (RJ 6553)

Counsel to the Official Committee of Unsecured
Creditors of Calpine Corporation, et al.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In Re
CALPINE CORPORATION, et al.,

Debtors.

HSBC BANK USA, NATIONAL ASSOCIATION, AS
INDENTURE TRUSTEE, THE BANK OF NEW YORK, AS
ADMINISTRATIVE AGENT, WILMINGTON TRUST FSB,
AS INDENTURE TRUSTEE, WILMINGTON TRUST
COMPANY, AS ADMINISTRATIVE AGENT,
WILMINGTON TRUST COMPANY, AS COLLATERAL
AGENT, AND MANUFACTURERS & TRADERS TRUST
COMPANY, AS INDENTURE TRUSTEE,

Appellants,

v.

CALPINE CORPORATION, THE OFFICIAL COMMITTEE
OF UNSECURED CREDITORS OF CALPINE
CORPORATION, AND THE OFFICIAL COMMITTEE OF
EQUITY SECURITY HOLDERS,

Appellees.

CALPINE CORPORATION, THE OFFICIAL COMMITTEE
OF UNSECURED CREDITORS OF CALPINE
CORPORATION, AND THE OFFICIAL COMMITTEE OF
EQUITY SECURITY HOLDERS,

Appellants,

v.

HSBC BANK USA, NATIONAL ASSOCIATION, AS
INDENTURE TRUSTEE, THE BANK OF NEW YORK, AS
ADMINISTRATIVE AGENT, WILMINGTON TRUST FSB,
AS INDENTURE TRUSTEE, WILMINGTON TRUST
COMPANY, AS ADMINISTRATIVE AGENT,
WILMINGTON TRUST COMPANY, AS COLLATERAL
AGENT, AND MANUFACTURERS & TRADE TRUST
COMPANY, AS INDENTURE TRUSTEE,

Appellees.

Chapter 11
Case No. 05-60200 (BRL)
(Jointly Administered)

Case No. 1:07-cv-3088 (GBD)

AFFIDAVIT OF SERVICE

AFFIDAVIT OF SERVICE

I, Ryan Marks, state as follows:

1. I am over 18 years of age and I believe the statements contained herein are true based on my personal knowledge. I am employed by Akin Gump Strauss Hauer & Feld LLP, located at 590 Madison Avenue, New York, New York 10022.
2. On June 9, 2007, I caused service of the Brief of the Official Committee of Unsecured Creditors as Appellee to be effected on the party listed below by overnight mail:

Paul Kenan Schwartzberg
Office of the United States Trustee
33 Whitehall Street
21st Floor
New York NY 10004

United States Trustee

3. And on June 9, 2007, I caused service of the Brief of the Official Committee of Unsecured Creditors as Appellee to be effected on the parties listed below by Electronic Case Filing:

Jeffrey S. Powell
Stephen E. Hessler
KIRKLAND & ELLIS, L.L.P.
655 Fifteenth Street, NW
Washington, DC 20005
(202) 879-5050

Counsel for Calpine Corporation, et al.
(Debtors)

Marc Kieselstein
KIRKLAND & ELLIS LLP
200 East Randolph Drive
Chicago, IL 60601-6636
(312) 861-2000

Richard M. Cieri
KIRKLAND & ELLIS, LLP
153 East 53rd Street
New York, NY 10022-4675

David Elkind
ROPES & GRAY LLP
45 Rockefeller Plaza
New York, NY 10111-0087
212-841-5700

Counsel for HSBC Bank USA, National
Association, as Indenture Trustee, and
the Bank of New York, as
Administrative Agent

Mark R. Somerstein
ROPES & GRAY LLP
1211 Avenue of the Americas
New York, NY 10036-8704
212-841-5700

Gary L. Kaplan
FRIED, FRANK, HARRIS,
SHRIVER & JACOBSON
One New York Plaza
New York, NY 10011
212-859-8812

Counsel for the Official Committee of
Equity Security Holders

Christopher M. Desiderio
NIXON PEABODY, L.L.P.
437 Madison Avenue
New York, NY 10033
(212) 940-3077

Counsel for Wilmington Trust FSB, as
Indenture Trustee, Wilmington Trust
Company, as Collateral Agent, and
Wilmington Trust Company, as
Administrative Agent.

Amanda Duncan Darwin
Dennis Murphy
Richard C. Pedone
NIXON PEABODY LLP
100 Summer Street
Boston, MA 02110-2131
(617) 345-1000

Martin J. Bienenstock
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, NY 10153
(212) 310-8000

Counsel for Manufacturers & Traders
Trust Company, as Indenture Trustee

Dated: July 9th, 2007
New York, New York

CHRISTINA J. DEVRIES
Notary Public, State of New York
No. 02DE6108580
Qualified in New York County
Commission Expires : 4/19/2008

/s/ Ryan N. Marks _____

Sworn to this 9th day of July, 2007

